

REDACTED VERSION

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Attorneys for Plaintiff
VERIGY US, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

VERIGY US, INC, a Delaware Corporation

Plaintiff,

vs.

ROMI OMAR MAYDER, an individual;
WESLEY MAYDER, an individual; SILICON
TEST SYSTEMS, INC., a California Corporation;
and SILICON TEST SOLUTIONS, LLC, a
California Limited Liability Corporation,
inclusive,

Defendants.

Case No. C07 04330 RMW (HRL)

**DECLARATION OF MELINDA M.
MORTON IN SUPPORT OF VERIGY'S
OPPOSITION TO DEFENDANTS'
MOTION FOR SUMMARY
ADJUDICATION AS TO VERIGY'S
3RD-5TH CLAIMS FOR RELIEF**

Date: September 5, 2008
Time: 9:00 am
Ctrm.: 6
Judge: Hon. Ronald M. Whyte

Complaint Filed: August 22, 2007
Trial Date: None Set

AND RELATED CROSS ACTIONS

HIGHLY CONFIDENTIAL – ATTORNEYS EYES ONLY
DOCUMENT SUBMITTED UNDER SEAL

1 I, Melinda M. Morton, declare as follows:

2 1. I am an attorney licensed to practice law before all of the courts of the State of
3 California. I am a partner with the law firm of Bergeson, LLP, counsel of record for Plaintiff
4 Verigy US, Inc. ("Verigy" or "Plaintiff") in the above-captioned action. I have personal
5 knowledge of the facts set forth in this declaration, and, if called to do so, I could and would
6 competently testify thereto.

7 2. I submit this declaration in support of Verigy's Opposition to Defendants' Motion
8 for Summary Adjudication as to Verigy's 3rd-5th Claims for Relief.

9 3. As part of this investigation, Verigy retained a computer forensics expert, Kristin
10 Haworth, a managing director at FTI Consulting.

11 4. Also as part of this investigation, the Court appointed David Stenhouse of Navigant
12 Consulting, a third party expert, to examine Romi Mayder's computers to determine which Verigy
13 documents had been transferred there. Verigy bore all costs of this investigation, which total in
14 excess of \$17,000. Attached hereto as Exhibit A is a true and correct copy of the invoices
15 addressed to me from Navigant.

16 5. Attached hereto as Exhibit B are true and correct copies of excerpts from the
17 deposition of Romi Mayder, Volume II, taken on October 11, 2007.

18 6. Attached hereto as Exhibit C is a true and correct copy of documents produced in
19 discovery by Chris Straube and marked as Exhibits 149 and 150 to the Straube deposition on July
20 31, 2008.

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7. Attached hereto as Exhibit D is a true and correct copy of a document produced in discovery by Honeywell International Inc., bates-labeled HW000080-85 and marked as Exhibit 193 to the Straube deposition on August 14, 2008.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that this declaration was executed this 15th day of August, 2008 at San Jose, California.

/s/
Melinda M. Morton

EXHIBIT A

CONFIDENTIAL

FILED UNDER SEAL

EXHIBIT B

**HIGHLY
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EXHIBIT C

**HIGHLY
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FILED UNDER SEAL

EXHIBIT D

**HIGHLY
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